

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking Into
Implementation of Public Utilities Code
Section 390.

Rulemaking 99-11-022
(Filed November 18, 1999)

**ADMINISTRATIVE LAW JUDGE'S RULING PROVIDING OPPORTUNITY
FOR COMMENTS ON SAN DIEGO GAS AND ELECTRIC'S REQUEST FOR
RELIEF APPLYING MODIFICATION OF DECISION 01-03-067 TO
CALIFORNIA UTILITIES AND QUALIFYING FACILITIES**

Summary

This ruling provides parties an opportunity for comments, and reply comments regarding San Diego Gas & Electric Company's (SDG&E) Request for Relief as stated in SDG&E's comments on Pacific Gas and Electric Company's (PG&E) Petition for Modification of Decision (D.) 01-03-067 (Petition).

Background

PG&E filed its Petition on December 15, 2004, requesting that the Commission modify D.01-03-067 to the extent that D.01-03-067 directed PG&E to pay Qualifying Facilities (QF) for energy deliveries within 15 days from the end of the billing period and gave QFs the option to establish a 15-day billing period.

On January 14, 2005, Juniper Generation, LLC and PE Berkeley, Inc., submitted a joint response to PG&E's Petition, and on January 18, 2005, Southern California Edison Company submitted a response.

Following an Administrative Law Judge's (ALJ) Ruling on March 1, 2005, providing an opportunity for parties to comment on PG&E's Petition, SDG&E submitted comments supporting the Petition. SDG&E's comments included a

Request for Relief¹ which requests the Commission adopt the Petition and also apply the decision to all QFs under contract with California investor owned utilities.

No other comments were received.

Discussion

In order to consider SDG&E's Request for Relief it is necessary to provide parties an opportunity to comment on SDG&E's request, as PG&E's Petition would otherwise apply only to PG&E.

Therefore, parties are given an opportunity for comments and reply comments on SDG&E's request that any decision regarding PG&E's Petition apply to all QFs under contract with California investor owned utilities. All comments shall be submitted by June 3, 2005. Parties' reply comments shall be submitted by June 10, 2005.

Therefore, **IT IS RULED** that:

1. Parties may submit comments or reply comments on San Diego Gas & Electric Company's (SDG&E) Request for Relief as stated in SDG&E's March 1, 2005 Comments on Pacific Gas and Electric Company's Petition.
2. All comments shall be submitted by June 3, 2005.
3. All reply comments shall be submitted by June 10, 2005.

Dated May 17, 2005, at San Francisco, California.

/s/ BRUCE DeBERRY

Bruce DeBerry
Administrative Law Judge

¹ SDG&E Comments on PG&E's Petition, submitted March 11, 2005, p. 3.

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Providing Opportunity for Comments on San Diego Gas and Electric's Request for Relief Applying Modification of Decision 01-03-067 to California Utilities and Qualifying Facilities on all parties of record in this proceeding or their attorneys of record.

Dated May 17, 2005, at San Francisco, California.

/s/ ELIZABETH LEWIS
Elizabeth Lewis

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.